

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
Civil Action No. 4:03-cv-00031-H

DAVID C. ANDERSON and SAMUEL)
PULLEN, on behalf of themselves)
and all others similarly situated,)
)
Plaintiffs,)
)
v.)
)
SARA LEE CORPORATION,)
)
Defendant.)

**JOINT MOTION TO APPROVE
SETTLEMENT**

Plaintiffs and Defendant jointly move this Court for entry of an Order (1) approving a settlement reached in this conditionally certified Fair Labor Standards Act (“FLSA”) collective action, and (2) dismissing this action, with prejudice.

To effectuate a binding release, FLSA settlements generally require judicial approval. *Taylor v. Progress Energy, Inc.*, 493 F.3d 454, 460 (4th Cir. 2007), *superseded on other grounds by regulation*, 73 Fed. Reg. 67987 (Nov. 17, 2008), *as recognized in Whiting v. Johns Hopkins Hosp.*, 416 Fed. App’x 312 (4th Cir. 2011). A copy of the parties’ Settlement Agreement and Release of Claims (“Settlement Agreement”) is attached as Exhibit 1. In support of this Motion, the parties contemporaneously filed their Memorandum in Support of Joint Motion To Approve Settlement.

WHEREFORE, the Plaintiffs and Defendant respectfully request the Court grant their joint motion, enter an order approving the Settlement Agreement, and dismiss this case with prejudice.

Respectfully submitted, this the 22nd day of April, 2013.

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DAVID C. ANDERSON and SAMUEL)
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vi.)
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SARA LEE CORPORATION,)
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Defendant.)

CERTIFICATE OF SERVICE

This is to certify that the undersigned has filed this Joint Motion to Approve Settlement with the Clerk of the Court using the CM/ECF system which will provide electronic notice to the following:

Alvin L. Pittman at office@apittman-law.com

This 22nd day of April, 2013.

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: /s/ Kevin S. Joyner
Kevin S. Joyner

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